

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**908 CRIM. APPLICATION NO. 5608 OF 2016
IN
REVNST/227/2016**

**MIRZA NAIM BAIG S/O MIRZA
HAMMED BAIG**

VERSUS

**MIRZA SHAHENAZ BEGUM W/O
MIRZA NAIM BAIG AND OTHERS**

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Mr. J.H.Deshmukh, Advocate for Applicant.

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CORAM : Z.A.HAQ, J.

DATE : 16th DECEMBER, 2016

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ORAL ORDER :

01. Heard Mr. J.H.Deshmukh, learned Advocate
for the applicant.

02. The applicant has filed Revision Application
challenging the order passed by the Family Court
directing him to pay ₹ 1,500/- per month to the non-

applicant No. 1 [wife] and ₹ 1,500/- per month to the non-applicant No. 3 [unmarried daughter] towards maintenance.

03. As there is delay of about 571 days in filing the Revision Application, this application is filed praying that the delay be condoned. The reasons given by the applicant for not filing the Revision Application within prescribed period of limitation are in para No. 2 of the application, that he is suffering from serious disease of brain and severe headache and he is under treatment of Neuro Physician. The applicant has placed on record the certificate issued by the Doctor on 28/08/2015, in which it is stated that the applicant was examined on 28/08/2015 as outdoor patient. Except the above certificate, there is nothing on record to show that the applicant was advised bed rest during the above period and/or was not able to carry on his activities.

04. In the facts of the case, I am not inclined to consider the prayer of the applicant for condoning

the inordinate delay.

05. The Criminal Application is dismissed. Consequently, the Criminal Revision Application is rejected.

[Z.A.HAQ, J.]

KNP/ Cr.Apln. 5608.2016